

# Have you been caught driving without insurance in Indiana?

If you have been caught driving without insurance in Indiana, expect a stiff penalty. Penalties for driving without insurance in Indiana can be very serious. The seriousness surrounding this violation has increased over time and can cost thousands of dollars and end with your car impounded. So that brings us to the next question. In Indiana, **does your license get suspended for driving with no insurance?**

## The fines and penalties for driving without insurance in Indiana

Indiana has taken the hard stance if you are caught driving without auto insurance in place. If you are caught driving without proof of responsibility for the first time, will result in your driving privileges being suspended. The **first offense for driving without insurance** in Indiana is a 90 day drivers license suspension, with the requirement of carrying a SR-22 Certificate for three years.

The **second offense results** in a \$500 fine and a one-year license suspension and the requirement to carry a SR-22 for three years. And the **third and any subsequent offenses for non-compliance** will result in a \$1000 reinstatement fee, a license suspension for one-year and an SR-22 requirement for five years.

The suspension of your license will not end until the required amount of time has passed. However there are instances when a hardship license can be given. Give us a call at [Hayes Law Office](#) today.

An [SR-22](#) is a document, on file with your state, proving you

have car insurance that meets the minimum insurance required by law. Also known as a "Certificate of Financial Responsibility," "SR-22 Bond," or "SR-22 Form," an SR-22 isn't a "type" of insurance, but rather a filing that is normally handled by your insurer once an insurance policy is in force.

Remember, **uninsured drivers can become subject to losing their license** at any time if you are caught without driving with insurance in Indiana. 

## **What is the minimum state liability insurance coverage in Indiana?**

According to the Indiana Department of Insurance website, the **minimum amount of Indiana auto insurance coverage is \$25,000/\$50,000/\$10,000**. In the event of a covered accident, your limits for bodily injury are **\$25,000** per person, with a total maximum of **\$50,000** per incident. A **minimum amount of coverage for damage to another person's property is \$10,000**. The minimum required insurance coverage for uninsured motorists, is a minimum of **\$10,000** per accident.

## **Is driving without insurance a felony?**

As of September 2010, driving without proof of insurance is [not a felony in any state](#). To be clear, in some states, driving while uninsured is considered a misdemeanor offense, and can potentially lead to a prison sentence. Jail time will most likely not be imposed for a first offense, unless you cause a serious accident. But repeat offenses will incur higher fines and stiffer punishments, possibly up to and including jail. Of course driving with a suspended license in Indiana is an act that could land you in jail.

## **The bottom line for driving without**

# insurance in Indiana

If you are caught driving uninsured you are facing a suspended license at a minimum. Call us at [Hayes Law Office](https://www.hayeslawoffice.com) at [317-759-1515](tel:317-759-1515) today, let us be your advocate.

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## Indiana Drivers Manual Chapter 3 – Points System

This is a copy of the State of Indiana Drivers License Manual Chapter 3.

[Drivers\\_Manual\\_Chapter\\_3](#)

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## Distracted Driving

If you are driving a motor vehicle in Indiana, you probably want the other drivers on the road to be paying attention. Distracted driving [leads to thousands of accidents](#), some of which have been fatal here in Indiana.

Using a cell phone while driving is one of the most common forms of distracted driving. People use their phones to text and make phone calls while driving; however, these activities may not be legal to engage in while driving.

# What is Distracted Driving?

According to in.gov, “distracted driving is any non-driving activity a motorist engages in that has the potential to distract him or her from the primary task of driving.”

## [Distracted Driving](#).

Examples of activities that constitute distracted driving include the use of cell phones while driving, including texting and talking on the phone. *Id.*

## Texting and Driving

In Indiana, [texting and driving is not allowed](#) for anyone, regardless of age. Texting while driving presents a plethora of issues including the driver no longer looking at the road or keeping their hands on the wheel. *Id.*

In.gov asserts that, “people who text while driving are 23 times more likely to crash,” and have a much slower reaction time than people who were not texting while driving, thus increasing the risk of potential accidents for themselves and the other drivers on the road. *Id.*

If pulled over while texting and driving, you could be facing a \$500 fine.

## Talking on the Phone and Driving

If you are under 18 years old, the only time you can make a phone call while driving is to call 911 in an emergency situation. This cell phone ban includes using hands-free devices as well.

Otherwise, if you are over 18, you may speak on your phone and drive. However, be aware that each year new bills are proposed to amend distracted driver laws, and there is a chance Indiana will follow other states examples and impose an all-

encompassing statewide ban on using a cell phone while driving.

If you are confused or unsure if you can use your cell phone in a certain situation, or if you want to know if the laws have been updated, contact us at [Hayes Law Office](#) and we can answer all of your questions.

If you have violated Indiana's distracted driver law by using your cell phone, call [Hayes Law Office](#) at [317-759-1515](tel:317-759-1515) and together we can discuss your options. And please don't do so while driving.

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## **Driving with a Suspending License**

If your license is suspended for any reason, you should not be driving. However, losing your license can impose a heavy burden on your life and the lives of the people around you. So what happens if you decide to drive on your suspended license? You are very likely going to be charged with a criminal offense and may obtain a longer license suspension.

## **Consequences of driving with a suspending license**

Under Indiana Code 9-24-19-2, "an individual who: (1) knows that [his] driving privileges, driver's license, or permit is suspended or revoked; and (2) operates a motor vehicle upon a highway less than (10) years after the date on which judgment was entered against the individual for a prior unrelated violation of section 1 of this chapter; commits a Class A

misdemeanor.” IC § 9-24-19-2 (Burns, Lexis Advance through P.L.210-2018, with gaps of P.L.177-2018, P.L.189-2018, and P.L.208-2018, from the Second Regular Session of the 120th General Assembly).

Generally, “a person who commits a Class A misdemeanor shall be imprisoned for a fixed term of not more than one (1) year; in addition, he may be fined not more than five thousand dollars (\$5,000).” [IC § 35-50-3-2 \(Burns, Lexis Advance through P.L.169-2018, with gaps of P.L.152-2018 to 154-2018 and 161-2018, from the Second Regular Session of the 120th General Assembly\).](#)

Furthermore, if you drive with a suspended license, you risk further license suspension. You may be viewed as a habitual traffic offender, which could lead to a longer term of license suspension in addition to likely receiving points on your license.

## **What is notice?**

According to *Coats v. State*, in order to be convicted of driving with a suspended license, the driver needs to have known or have had a reasonable opportunity to know that his license was suspended. [Coats v. State, 697 N.E.2d 1261](#) (Ind. Ct. App. 1998). This means adequate notice needs to be provided to the defendant that he has a suspended license and cannot drive. Notice can come in the form of the Bureau of Motor Vehicles (BMV) mailing notice of suspension to the defendant. It is the State’s burden to prove adequate notice was provided.

If you are unsure of your license status, you may request your driving record through the [Indiana BMV](#).

If you are charged with driving with a suspended license, you will need a criminal defense lawyer. At [Hayes Law Office](#), we are experienced with driver’s license issues and are here to

help. Call us at [317-759-1515](tel:317-759-1515).